

1 | **ROBERT R. HENSSLER, JR.**
California Bar No. 216165
2 | **FEDERAL DEFENDERS OF SAN DIEGO, INC.**
225 Broadway, Suite 900
3 | San Diego, CA 92101-5008
Telephone: (619) 234-8467

5 | Attorneys for Mr. Isaac Navarro-Lomeli

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE L. JAMES LORENZ)

11 UNITED STATES OF AMERICA,) Case No. 08CR0091-L
12 Plaintiff,) Date: February 19, 2008
13) Time: 2:00 p.m.
14 v.)
15 ISAAC NAVARRO-LOMELI,) NOTICE OF MOTIONS AND MOTIONS TO:
16 Defendant.) 1) COMPEL DISCOVERY;
17) 2) PRESERVE EVIDENCE;
) 3) DISMISS INDICTMENT DUE TO
) IMPROPER GRAND JURY;
) 4) SUPPRESS STATEMENTS;
) 5) DISMISS INDICTMENT DUE TO
) UNCONSTITUTIONAL STATUTE; AND
) 6) GRANT LEAVE TO FILE FURTHER MOTIONS

19 **PLEASE TAKE NOTICE** that on February 19, 2008, at 2:00 p.m. or as soon thereafter as counsel
20 may be heard, Isaac Navarro-Lomeli, by and through counsel, Robert R. Henssler Jr., and Federal Defenders
21 of San Diego, Inc., will ask this Court to enter an order granting the following motions.

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MOTIONS

Isaac Navarro-Lomeli, by and through counsel, Robert R. Henssler Jr., and Federal Defenders of San Diego, Inc., pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court for an order to:

- (1) Compel discovery;
- (2) Preserve evidence;
- (3) Dismiss the indictment due to improper grand jury;
- (4) Suppress statements;
- (5) Dismiss indictment due to unconstitutional statute;
- (6) Grant leave to file further motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, and all other materials that may come to this Court's attention at the time of the hearing on these motions.

Respectfully submitted,

/s/ Robert R. Henssler, Jr.

Dated: February 5, 2008

ROBERT R. HENSSLER JR.
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Navarro-Lomeli

1 **CERTIFICATE OF SERVICE**
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3 Counsel for Defendant certifies that the foregoing pleading is true and accurate to the best of his
4 information and belief, and that a copy of the foregoing document has been served this day upon:

5 **Aaron B Clark**
6 United States Attorney's Office
7 880 Front Street
8 Room 6293
9 San Diego, CA 92101
10 (619)557-6787
11 Fax: (619)235-2757
12 Email: aaron.clark@usdoj.gov
13
14

15 Dated: February 5, 2008

16 /s/ Robert R. Henssler
17 ROBERT R. HENSSLER, JR.
18 Federal Defenders of San Diego, Inc.
19 225 Broadway, Suite 900
20 San Diego, CA 92101-5030
21 (619) 234-8467 (tel)
22 (619) 687-2666 (fax)
23 e-mail: Robert_Henssler@fd.org
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